

Amendment No. 3 to SB3040

**Rochelle
Signature of Sponsor**

AMEND Senate Bill No. 3040*

House Bill No. 3055

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the last section and by adding the following as new, appropriately numbered sections:

SECTION _____. Tennessee Code Annotated § 2-14-201 is amended by deleting the section in its entirety and by substituting instead the following:

(a) If twelve (12) months or more remain prior to the next general election for members of the general assembly and the seat of a member of either house becomes vacant, a successor shall be elected pursuant to Tennessee Code Annotated § 2-14-202 (a)-(c) by the qualified voters of the district in which the vacancy occurred. The successor shall serve the remainder of the original term.

(b) If a vacancy occurs with more than two (2) years remaining in a term in the state senate, but less than twelve (12) months prior to the next general election for members of the general assembly, then a successor shall be elected pursuant to Tennessee Code Annotated § 2-14-202 (d) by the qualified voters of the district in which the vacancy occurred. The successor shall serve the remainder of the original term.

SECTION _____. Tennessee Code Annotated § 2-14-202 (a) is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) If twelve (12) months or more remain prior to the next regular election for members of the general assembly, the governor shall, by writs of election, order a special election to fill such vacancy.

SECTION _____. Tennessee Code Annotated § 2-14-202 (d) is amended by deleting the subsection in its entirety and by substituting instead the following:

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(d) (1) If a vacancy occurs in the state senate in a seat with more than two (2) years remaining in the term, but less than twelve (12) months before the next general election for members of the general assembly, candidates for the primary elections and independent candidates shall qualify at the regular qualifying deadline for state elections.

(2) If a vacancy as described in (d) (1) occurs after the seventh day before the regular qualifying deadline for statewide offices, candidates for the primary elections and independent candidates shall file the necessary qualifying petitions before twelve o'clock (12:00) noon, prevailing time, on the sixth Thursday before the day of the primary election. Any candidate wishing to withdraw shall do so before twelve o'clock (12:00) noon, prevailing time, on the fourth day after the qualifying deadline.

(3) If a vacancy as described in (d) (1) occurs after the sixth Thursday before the primary election, the members of the county executive committees who represent the precincts composing such senate district may nominate a candidate to appear on the November election ballot by any method authorized under the rules of the party. The procedure to be followed by an executive committee shall be the same as set forth in § 2-13-204 (b) (4). Persons so chosen shall be certified to every county election commission wholly or partially in the district by twelve o'clock (12:00) noon, prevailing time, on the forty-fifth day prior to the regular November election. Independent candidates shall qualify by filing petitions as provided for in § 2-5-104 by twelve o'clock (12:00) noon, prevailing time, on the forty-fifth day prior to the regular November election. Any candidate wishing to withdraw shall do so before twelve o'clock (12:00) noon, prevailing time, on the fourth day after the qualifying deadline.

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(4) If a vacancy as described in (d) (1) occurs within forty-five days of the next general election for legislators, the candidate receiving the highest number of write-in votes at such election shall be elected.

SECTION _____. This act shall take effect upon becoming law, the public welfare requiring it.